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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X		
BEVOLYN DARBY,	:	ECF
Individually and on Behalf of All Other	:	17 Civ. 5370 (RMB)
Persons Similarly Situated,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
STERLING HOME CARE, INC., MARK R. ZWERGER,	:	
MATTHEW G. ANDERSON, MICHELE THOMAS	:	
EILEEN KILLEEN, and JOHN DOES #1-10,	:	
	:	
Defendants.	:	
-----X		

**DECLARATION OF WILLIAM C. RAND IN SUPPORT OF PLAINTIFF'S  
APPLICATION FOR FINAL APPROVAL OF CLASS AND COLLECTIVE ACTION  
SETTLEMENT**

**EXHIBIT C**

**TIME AND EXPENSE RECORDS**

Dated: New York, New York  
August 20, 2019

By: William Coudert Rand, Esq.  
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Individually and on Behalf of All Other	:	17 Civ. 5370 (RMB)
Persons Similarly Situated,	:	
	:	
Plaintiffs,	:	
-against-	:	
	:	
STERLING HOME CARE, INC., STEVEN B. KATZ and	:	
JOHN DOES #1-10,	:	
	:	
Defendants.	:	
-----X		

**RAND LAW FIRM TIME AND EXPENSE RECORDS**

<u>Date</u>	<u>Hours</u>	<u>Description</u>
6-28-17	4.4	Meeting with client (1.2); drafting declaration (3.2)
7-13-17	2.3	Drafting summons (.5); drafting civil cover sheet (.5); drafting complaint (1.3)
7-14-17	3.1	Drafting complaint (3.1)
7-15-17	4.1	Drafting complaint (3.7); filing summons and complaint and civil cover sheet (.4)
9-21-17	.8	Reviewing Answer and affirmative defenses and reviewing complaint
11-9-17	3.9	Drafting notice of 30-b-6 deposition (.8); Drafting document requests (3.1)
11-10-17	6.0	Call with defense counsel re settlement (.4); drafting request for admissions (3.1); drafting interrogatories (2.2); serving discovery by email and mail (.3)

11-14-17 2.4

Researching amended complaint

11-20-17 .8

Emails and call with defense counsel regarding individuals to be sued in Amended Complaint

11-21-17 3.2

Drafting and filing Amended Complaint (2.6); drafting and sending letters to addresses of client seeking current contact information (.6)

11-22-17 .8

Reviewing notice of deposition served on Plaintiff (.3); call to Darby re deposition (.5)

11-28-17 1.8

Meeting Darby in office to give status update (.7); drafting revised declaration (1.1)

12-5-17 1.0

Call with Defense counsel re settlement (.7); emailing Defense counsel settlement agreement in similar case to show structure (.3)

12-17-17 3.7

Drafting motion for collective action certification and supporting brief

12-18-17 .5

Call with defense counsel regarding settlement and stipulating to collective action notice

12-19-17 2.1

Drafting stipulated order and notice regarding collective action (1.6); emailing it to defense counsel with explanation (.1); call and emails with defense counsel re discovery and deadlines to respond (.4)

1-4-18 1.1

Reviewing and finalizing Order and notice regarding collective action and returning to Defense counsel (1.1)

1-5-18 .7

Drafting and mailing and emailing Owner liability to individual defendants (.6); email regarding collective action order and notice (.1)

1-8-18 1.9

Emails with defense counsel and finalizing stipulation and notice and filing (1.6); drafting letter to judge with courtesy copy (.3)

1-24-18 .6

Calls with Magistrate's clerk (.2) and Judge's Clerk (.1) re status of motion/stipulation re notice and emails to Defense counsel with status report (.1); emails to defense counsel re discovery and extending deadline (.2)

1-30-18 1.3

Reviewing Document Requests and interrogatories served on Plaintiff

2-13-18 1.1

Calls and emails with Defense counsel re discovery

3-6-18 .9

Reviewing judge's revisions and revising notice and sending to defense counsel

3-7-18 .4

Sending notice and list to mailing service for quote (.1); call and email with defense counsel re list and how created (.3)

4-2-18 .5

Organizing and filing opt-in statements (.5)

4-6-18 4.5

Organizing and filing opt-in statements (.5); calls to opt-ins to leave message to confirm receipt of opt-in statements (.5); call with Patrick Gayle (.4); call with Kenesha Tomlinson (.3); call with Alice Thompson (.4); call with Sharon Gray (.3); call with Nandane Somai (.3); call with Theresa Obach (.4); call with Marcia Talbert (.2); call with Mareshalee Grant (.3); call with Beverly Cole (.3) call with Ada Caqsho (.2); call with Andrea Capleton (.4)

4-2-18 1.8

Organizing and filing opt-in statements (.5); Meeting with Theresa Obaah (1.3)

4-6-18 .5

Organizing and filing opt-in statements

4-10-18 7.0

Organizing and filing opt-in statements (.5); calling opt-in plaintiffs to confirm receipt and explain case (3.1); meeting with Theresa Obaah; (2.1); drafting declaration for Obaah (1.3)

4-11-18 3.4

Meeting with Patrick Gayle (2.2); drafting declarations (1.2)

4-12-18 .5

Organizing and filing opt-in statements

4-16-18 .5

Organizing and filing opt-in statements

4-18-18 4.1

Meeting with Primrose Scott (2.1); reviewing payroll documents (.7); drafting declaration (1.3)

4-20-18 .9

Organizing and filing opt-in statements (.5); call with potential opt-in who did not want to give name (.4)

4-25-18 1.3

Organizing and filing Opt-in Forms and calling opt-ins

5-3-18 4.4

Meeting with Ida Wallace and Veronica Wallace (2.3); reviewing paystubs (.5) drafting declarations (1.6); status conference call with court (.8)

5-4-18 1.2

Organizing and filing Opt-in Forms and calling opt-ins

5-16-18 1.0

Organizing and filing Opt-In Forms and calling opt-ins

5-24-18 .6

Organizing and filing Opt-In Forms and calling opt-ins

5-30-18 .7

Call with Jessica Weston (.5) emailing defense counsel that she is being retaliated against as she received no work after she joined suit (.2)

5-31-18 .9

Calls and emails with defense counsel re retaliation (.6); call with Weston (.3)

6-1-18 .5

Reviewing and commenting on Defense counsel letter to court re discovery deadline extensions

6-5-18 .4

Reviewing court order re discovery (.1); emails with defense counsel re discovery plan (.3)

6-14-18 1.0

Call and emails with defense counsel regarding discovery schedule (.5); reviewing and commenting on Defense counsel's letter to the court (.5)

7-13-18 .5

Call and emails with defense counsel re discovery

7-19-18 3.1

Reviewing damage spreadsheet from Defense counsel re opt-ins (2.6); call with defense counsel to ask why formulas are not shown and to request spreadsheet with formulas (.5)

9-7-18 .8

Call with defense counsel regarding potential settlement structures

10-8-18 6.1

Drafting collective and class settlement agreement with blank amounts (5.6); call to defense counsel to discuss proposed form of agreement (.5)

10-11-18 2.5

Drafting settlement agreement with blanks for amounts (2.4); emailing to defense counsel (.1)

10-22-18 4.2

Reviewing payroll and time records and employment records of Darby

10-26-18 6.8

Reviewing payroll records of Darby (1.4); creating spreadsheet to calculate 24 hour damages (4.7); emailing spreadsheet to defense counsel and calling defense counsel to explain spreadsheet (.7)

11-6-18 2.0

Calls with defense counsel (1.3); conference call with Magistrate Fox (.7)

11-9-18 1.8

Reviewing letter spreadsheet related to overtime (.7); emailing 5 employees for documents to check spreadsheet (.2); reviewing and revising joint letter to court re settlement (.4); call with client re status and settlement (.5)

11-20-18 6.5

Reviewing payroll of sample employees and comparing to spreadsheet (5.1); reviewing Defendants' settlement agreement revisions (1.4)

11-27-18 1.0

Call to Client re Settlement (.5); revising settlement spreadsheet and emailing Defense counsel revised settlement offer (.5).

12-4-18 .9

Call with Defense counsel re Settlement counteroffer (.4) call to Darby re offer (.5)

12-5-18 .9

Call to Darby re Settlement (.4); revising settlement spreadsheet and emailing Defense counsel revised settlement offer (.5).

12-10-18 1.0

Call with Defense counsel re Settlement counteroffer (.5) call to Darby re offer (.5)

12-12-18 2.0

Call to Darby to discuss revised settlement offer (.3); revising spreadsheet and sending revised settlement offer to defense counsel (.4)

12-13-18 1.7

Calls with Defense counsel re settlement (1.2); reviewing and commenting on letter to Magistrate seeking extension of discovery deadline (.5)

12-17-18 1.7

Call with Defense counsel re rejection of request for discovery extension and settlement (1.0); call with client re status of case and settlement (.7)

12-18-18 3.5

Calls with Defense counsel (.8); calls with client (.9); reviewing spreadsheets and correspondence (1.3); drafting and filing letter to court requesting stay and giving notice of settlement in principle (.5)

1-10-19 6.4

Reviewing and checking overtime damage calculations of class members (5.2); Creating Exhibit E using Excel Spreadsheet information (1.2)

1-11-19 3.7

Meeting to go over settlement agreement and evidence with Darby and to get her signature

1-16-19 3.1

Drafting and researching motion for preliminary approval

1-17-19 6.1

Drafting motion for preliminary approval of settlement (4.3); drafting declaration in support of motion (1.8)

1-18-19 10.4

Drafting and filing motion for preliminary approval of settlement

1-21-19 1.0

Drafting and delivering letter enc. courtesy copy of motion for preliminary approval (.4); filing corrected cover to Proposed Order (.6)

4-12-19 .9

Creating Adobe of Named Plaintiff spreadsheet for filing (.4); emails and call with defense counsel (.3); commenting on letter to court (.2)

4-17-19 2.0

Reviewing spreadsheets and drafting letter to court explaining Exhibit D (1.3); calls with Defense counsel re letter (.7)

4-19-19 .6

Call with Judge's clerk (.1); reviewing order approving settlement (.5)

4-29-19 1.4

Reviewing notice to class and revising and returning with comments (.7); reminding defendant of CAFA notice and asking for confirmation notice sent (.2) sending defendant law re CAFA notice (.5)

5-21-19 .6

Call with class members re claims and damages and settlement

5-23-19 .5

Call with Ms. Phills-Capleton re claims and damages and settlement

5-28-19 2.5

Call with Sophia chambers re claims and why not in settlement (.5); call with Veta Robinson (.5); call with Alexis Walker re settlement amounts and calculation (.3); calls with Loretta Williams re claims and why not included in settlement (.4); emails with defense counsel (.3) call with Lileith Lewis regarding claims (.5)

6-13-19 .4

Call with Yocata Lizardo re settlement

6-14-19 1.3

Calls with Ida Wallace (.5) Veronica Wallace (.3) and Janet Dominguez (.5) re settlement

6-17-19 .6

Call with Ines Forbes re settlement (.3); call with Hope Dunkley re settlement (.3)

6-19-19 .4

Call with Agnes Bannerman re settlement

8-11-19 2.7

Drafting Motion/Brief in support of settlement agreement

8-12-19 6.2

Researching Motion/Brief in support of settlement agreement

8-13-19 6.7

Drafting Motion/Brief in support of settlement agreement



8-14-19 7.1

Drafting Motion/Brief in support of settlement agreement

8-15-19 5.5

Revising motion/Brief in support of Final Approval and sending to defense counsel (4.2); drafting spreadsheet showing settlement amounts of each person who did not receive mailed notice and two opt-out persons and showing total amount (1.3)

8-16-19 1.7

Reviewing Administrator declaration (.3); reviewing settlement agreement (.3); making comments to Administrator declaration and sending to Defense counsel (.3); reviewing defense counsel's declaration and providing comments (.3); drafting and filing letter to judge and getting consent form Defense counsel and filing (.5)

8-18-19 2.1

Revising motion/Brief in support of final approval

8-19-19 4.8

Revising motion/brief in support of final; approval and sending to Defense counsel for review (1.7); drafting Rand Declaration in support of final settlement (3.1)

8-20-19 4.6

Finalizing and filing motion for final approval

Total 214.9

Expenses	\$1,526.40
Complaint Filing	\$400
Complaint Service	\$65
Notice Mailing	\$1,036.40
Hand Delivery of Motion Papers 1-22-18	\$25